United Nations S/2000/411

Security Council

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11 May 2000

Original: English

Letter dated 9 May 2000 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the English translation of a note verbale dated 29 April 2000 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of the Republic of Iraq in Tehran (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative

00-42725 (E) 110500

Annex to the letter dated 9 May 2000 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Note verbale dated 29 April 2000 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of the Republic of Iraq in Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the Republic of Iraq in Tehran and has the honour to state the following:

According to the report received from the concerned authorities of the Islamic Republic of Iran, on 11 March 2000 at 0830 hours, the Iraqi military forces based in the Shalamcha area began firing in the direction of the Iranian boundary guards, martyring two border guards, namely, Lieutenant Abass Naseri and Conscript Kheirollah Sharifi.

The Government of the Islamic Republic of Iran, while strongly protesting against the said act by the Iraqi military forces, holds the Government of the Republic of Iraq responsible for this incident and its adverse consequences, and emphatically demands that necessary instructions be issued to the military forces so as to prevent the recurrence of such unfortunate incidents on the borders.

It is obvious that the continuation of such incidents on the borders runs counter to the interests of both parties.

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Letter dated 11 May 2000 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the decision of the Milli medjlis (Parliament) of the Republic of Azerbaijan dated on 9 May 2000 (see annex) in connection with the activities contradicting the Constitution of the Republic of Azerbaijan of certain parties in opposition on 29 April 2000 in Baku city and their attempts to provoke disturbances in the country.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Eldar G. **Kouliev**
Permanent Representative

00-42811 (E) 120500 120500

Annex to the letter dated 11 May 2000 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

Decision of the Milli Mejlis of the Republic of Azerbaijan concerning the activities contrary to the Constitution of certain opposition parties in the city of Baku on 29 April 2000 and their attempts to provoke disturbances in the country

In recent years, a great deal of work has been done with a view to the preparation and consistent implementation, under the leadership of the President of the Republic of Azerbaijan, the world renowned politician and statesman Heydar Aliyev, of the comprehensive and substantive concept of the internal and foreign policy of our independent State, based on a scientific analysis and building on the realities of the contemporary world and the historical situation. Social and political stability has been established in the country, the economic crisis has been ended and progress has been achieved. In resolving the complex problems facing the State of Azerbaijan, considerable success has been achieved in improving society and establishing national solidarity in the country.

The Republic of Azerbaijan considers that its most important tasks are to implement the process of democratization, to build a State based on the rule of law and to create a market economy. The consistent measures taken in this direction have converted the integration of our country into the family of European nations into a reality. At the present time, Azerbaijan, as a State which is about to join the Council of Europe, is working resolutely to strengthen European values in all spheres of social and State life. In order to complete successfully the radical political and economic reforms which are being carried out in the country and to achieve the lofty goals set forth in the Constitution of our independent State, there is a great need for a healthy opposition. The constructive cooperation of all existing forces in society and their joint efforts aimed at bringing the Republic of Azerbaijan into the group of economically and politically developed States in the world have become essential.

Unfortunately, some radical forces which had formerly, for objective and subjective reasons, gained power for a short time — although some time ago — and which had suffered political failure and were forced to flee in disgrace are still living in the climate of the time when they were in power. These forces, possessed by the idea that "perhaps they will return", from time to time demonstrate that they can in no way rid themselves of their political infantilism and inaction and that they are not capable of waging a political struggle with the authorities within the framework of civilized standards. In order to achieve their sordid political ambitions, they do not hesitate to resort even to unlawful action which could push our society into the abyss of chaos.

These radical political forces, which do not wish to see the positive changes which are taking place in our country and have set themselves in opposition to the will of the people, while attempting to hold an unlawful meeting in the centre of the city of Baku on 29 April 2000, provoked a disturbance, refused to comply with the legitimate demands of law enforcement officials and used force against them,

causing various degrees of physical injury to 36 members of the police force. In order to achieve their sordid political aims, these destructive forces, possessed by a desire to create confusion among the population, once again shed the blood of their brothers, flagrantly violating the Constitution and laws of the Republic of Azerbaijan, and attempted to shake the social and political stability which prevails in the country. It was only thanks to the skilful and progressive action of the law enforcement organs that these events, which if they had spread could have led to more serious consequences, were localized.

In holding this illegal meeting, the radical wing of the opposition once again demonstrated that its aim is to create civil strife in the country and to undermine the international image of Azerbaijan and prevent it from joining the Council of Europe. However, the wretched leaders of the PNFA-Mussavat tandem and other militant opposition parties under their thumb must know that the time for demagogic statements and mass-meeting psychology in the political struggle has long since passed. The only path in the struggle for power in the Republic of Azerbaijan lies in participation in elections on the basis of democratic laws. At the present time, a new draft bill on elections to the Milli Mejlis of the Republic of Azerbaijan has been placed on the parliamentary agenda and it will be considered in the next few days. Any political force which claims that it has the trust of the people may participate in the forthcoming parliamentary elections on the basis of civilized standards.

The Milli Mejlis of the Republic of Azerbaijan expresses its confidence that the forces which, by provoking disturbances, are attempting to disrupt stability in the country, create civil strife and form a negative opinion of the State of Azerbaijan in the world community will henceforward be stamped out once and for all, that the democratization processes taking place in Azerbaijan will be successfully completed and that our independent State will take its rightful place among the leading States of Europe.

The Milli Mejlis of the Republic of Azerbaijan calls upon all morally sound political forces in society to mobilize their forces to prevent the provocative activities of the radical wing of the opposition and not to allow the social and political stability to be disrupted.

Conscious of its responsibility with regard to the consistent implementation in Azerbaijan of the processes of building a democratic State based on the rule of law and the strengthening of the principle of the primacy of law in society, the Milli Mejlis of the Republic of Azerbaijan decides:

1. To regard the attempts of the PNFA-Mussavat tandem and their lackeys and protectors to disrupt the social and political stability of our country and create civil strife by provoking disturbances in the capital as an infringement of the statehood of Azerbaijan and as undermining its international authority.

2. To consider the provocative action carried out on 29 April 2000 in the city of Baku by the radical wing of the opposition inadmissible and not in keeping with democratic political methods of struggle, and it strongly condemns such action.

The Milli Mejlis of the Republic of Azerbaijan assures the Azerbaijani people that the State of Azerbaijan is capable of preventing any possible provocative actions in the future and that the parliament of Azerbaijan will make every effort to support the resolute internal and foreign policy being carried out under the leadership of the President of the Republic of Azerbaijan, the esteemed Heydar Aliyev.

M. Aleskerov
Chairman of the Milli Mejlis of the Republic of Azerbaijan

Baku, 9 May 2000

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Security Council special mission visit to Eritrea and Ethiopia, 9 and 10 May 2000

I. Introduction

1. By his letter dated 7 May 2000 (S/2000/392), the President of the Security Council informed the Secretary-General that the Council had decided to send a special mission to Eritrea and Ethiopia. Accordingly, the Council requested the Security Council mission then in Kampala to proceed to Addis Ababa and Asmara pursuant to this decision. The membership of the special mission was as follows:

United States of America (Ambassador Richard Holbrooke — Head of Mission)
France (Ambassador Jean-David Levitte)
Mali (Ambassador Moctar Ouane)
Namibia (Ambassador Martin Andjaba)
The Netherlands (Ambassador A. Peter van Walsum)
Tunisia (Ambassador Saïd Ben Mustapha)
United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock)

2. The terms of reference of the mission are annexed to S/2000/392.

II. Activities of the special mission

3. The Security Council ambassadors left Kampala on 8 May for Addis Ababa, where they met that evening with Prime Minister Meles Zenawi. After being informed of the terms of reference of the special mission, Prime Minister Meles set out at length his Government's position with regard to the suspension of the proximity talks at Algiers, as well as providing a detailed account of the situation between Ethiopia and Eritrea. In particular, Prime Minister Meles described the course of the talks as conducted by the facilitators and the points of contention that remained to be resolved. In this connection, the Prime Minister outlined his Government's posture regarding the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia (S/1998/1223, annex) developed by the Organization of African Unity (OAU), the modalities for its Implementation (S/1999/794, annex III) and the technical arrangements proposed to put them into effect.

4. The following day, 9 May, after an early morning breakfast with representatives of OAU and the chargé d'affaires of the Government of Algeria, the special mission proceeded to Asmara, where it met with President Isaias Afwerki. President Afwerki in turn explained to the mission the views of his Government of the current situation and its position on the documents in question.

5. Returning to Addis Ababa the same evening, the special mission met again with Prime Minister Meles to clarify the precise position of his Government with regard to the Framework Agreement and the modalities for its Implementation.

6. That night, the special mission met with the Assistant Secretary-General of OAU, Saïd Djinnit, and other OAU officials to seek their views on their situation and their interpretation of wording in the OAU documents. Secretary-General Djinnit stressed that only the French text of the documents concerned was authentic. This raised a possible difference in meaning concerning the phrase "consolidated technical arrangements", which in English is preceded in most instances by the word "the", but in French by the word "des".

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7. On 10 May, the special mission returned to Asmara, where they sought the views of President Afwerki on a draft text elaborated overnight by its members. Following further discussion, the text was conveyed to Prime Minister Meles in Addis Ababa for his views.

III. Observations

8. The OAU negotiations have produced, over time, a substantial corpus of agreements and drafts on a ceasefire, withdrawal, interim arrangements and arbitration and final demarcation of the disputed territory between Eritrea and Ethiopia. The final elements to be put in place in the technical arrangements are a very small proportion of the whole. OAU is to be congratulated on its accumulated achievement. The differences between the two sides, while real, are clearly, in the view of the mission, relatively small and manageable and could be resolved by intensive negotiations over time.

9. Nevertheless, the two sides are on the verge of resuming a senseless war over these differences. The war, which could resume at any time, would not only cause enormous numbers of casualties on both sides, but would greatly add to deaths from famine, as the war would divert much-needed transportation from famine relief. This, in fact, has already happened, to the utter disgrace of all concerned. Meanwhile, Ethiopia accuses Eritrea of stringing out negotiations to avoid redressing its offensive of May 1998; Eritrea accuses Ethiopia of actively holding to the option of resuming the conflict while negotiations continue.

10. The special mission concentrated therefore on creating a mechanism to get past this blockage without going inside the "box" of the details of the OAU negotiations. The renewal of conflict would be such a catastrophic step in the circumstances of the two nations that the mission felt that there had to be strong motives for avoiding it. The members of the mission were, therefore, disappointed to find that such large scope for further fighting still remained, but decided to test various mechanisms to encourage the resumption of talks.

11. The mechanism eventually agreed upon took the form of a draft Security Council resolution calling for proximity talks to resume at the invitation of OAU (see annex). OAU was consulted and agreed. The double journey to Ethiopia and Eritrea thus turned into something of a textual negotiation, with each side seeking wording which favoured its position. The mission, however, stressed that any Security Council resolution would be the sole responsibility of the full Security Council and that the mission would only seek the views of the two sides, not be bound by them.

12. In the course of these exchanges, the special mission's understanding of the complexities of the problem grew, as did its appreciation of the frankness and clarity of the policy presentations by Prime Minister Meles and President Afwerki. The members of the mission made it repeatedly clear that they would not enter into the substance of the OAU texts, nor substitute for the OAU process, but that the two leaders had to understand that, as seen from the outside, the differences between them on the territorial issue in itself did not warrant a return to fighting.

13. At the time of the finalization of the present report, the special mission did not know whether the Security Council would adopt a resolution, whether the parties would both decide to resume early discussions or whether renewed conflict can be avoided. The members of the mission tended to a pessimistic view on the last point. It was nevertheless right from every perspective, moral, political, strategic, and from the standpoint of the interests and role of the Security Council, that the mission to the Democratic Republic of the Congo was extended to include Addis Ababa and Asmara. Any diplomatic effort, even if it is not successful, is worthwhile when the consequences of war for the peoples of the two nations would be so disastrous.

14. The members of the special mission wish to express their appreciation to Prime Minister Meles Zenawi and President Isaias Afwerki for their hospitality and for the frankness with which they responded to our questions and comments. The mission also expresses its gratitude to the resident coordinators of the United Nations Development Programme and their staff for ensuring all the necessary logistical support, despite very short notice. Finally, the members are happy to acknowledge, with appreciation, the indispensable services of Captain Khaled Bassiouny and his crew of AMC Aviation, without whom it would not have been possible to carry out their ambitious and exhausting travel schedule across the African continent.

Annex

Draft Security Council resolution

Recalling its resolutions 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999 and 1227 (1999) of 10 February 1999,

Recalling also the acceptance by the Governments of Eritrea (S/1999/215) and Ethiopia (S/1998/1223) of the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia (S/1998/1223, annex), as approved by the Central Organ Summit of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution, held on 17 and 18 December 1998,

Recalling further the acceptance by the Governments of Eritrea (S/1999/794) and Ethiopia (S/1999/789) of the Modalities for the Implementation of the OAU Framework Agreement on the Settlement of the Dispute between Ethiopia and Eritrea (S/1999/794, annex III), as endorsed by the thirty-fifth Conference of Heads of State and Government of the Organization of African Unity, held in Algiers from 12 to 14 July 1999,

Noting the commitment of both parties to the delimitation and demarcation of their common border,

Emphasizing the obligation of both parties to find a peaceful resolution of their dispute in accordance with the principles of the Charter of the United Nations,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Eritrea and Ethiopia,

Expressing deep concern at the continued mobilization of the military forces of the respective parties and the potential for renewed conflict between them,

Noting that the proximity talks, held in Algiers from 29 April to 5 May 2000, were intended to assist the two parties to arrive at final agreement of consolidated and detailed technical arrangements acceptable to both sides, which would lead to the peaceful resolution of the conflict between Eritrea and Ethiopia,

Noting also that the communiqué on the proximity talks issued by the Office of the Chairman of OAU on 5 May 2000 (S/2000/394) sets out the areas of convergence already recorded between the two parties,

Noting the unanimous conclusion of its special mission to Africa, after extensive talks with the leaders of the Governments of Eritrea and Ethiopia, that both Governments have confirmed their acceptance of, and are committed to, the Framework Agreement and the Modalities of its implementation, as previously communicated to OAU and to the Security Council,

Convinced of the need for further and immediate diplomatic efforts,

Stressing that the conflict between Eritrea and Ethiopia constitutes a threat to international peace and security and that renewed hostilities would constitute an even greater threat to the stability, security and economic development of the subregion,

1. *Endorses* the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia and the Modalities for its Implementation as the basis for the peaceful resolution of the dispute between the two parties;

2. *Also endorses* the communiqué of 5 May 2000 issued by the current Chairman of the Organization of African Unity (S/2000/394);

3. *Welcomes*, and attaches high importance to, the acceptance by the Governments of Eritrea and Ethiopia, reaffirmed by their leaders directly to the Security Council special mission to Africa on 9 and 10 May 2000, of the OAU Framework Agreement and the Modalities for its Implementation;

4. *Urges* the earliest possible reconvening, without preconditions, of proximity talks involving substantive discussions on the basis of the Framework Agreement and Modalities for its Implementation and of the work conducted by OAU as recorded in its communiqué of 5 May, to arrive at consolidated technical arrangements to give practical effect to the Framework Agreement and Modalities;

5. *Welcomes* the statements of both leaders, made directly to the Security Council special mission, that they will resume proximity talks without preconditions, on the basis set out in paragraph 4 above, at the invitation of the Chairman of OAU, under the auspices of OAU;

6. *Reaffirms its full support* for the continuing OAU peace process and the efforts of the Organization of African Unity, of Algeria, its current Chairman, and of other interested parties to mediate a peaceful resolution of the dispute, and resolves to assist the OAU process of proximity talks between the two Governments, as requested by OAU;

7. *Insists* that both parties implement their commitment to refrain from the use of force, as is consistent with their acceptance of the provisions of the OAU Framework Agreement and Modalities for its Implementation and with the principles of the Charter of the United Nations;

8. *Also insists* that both parties implement their commitment to return to positions held prior to 6 May 1998, consistent with the sequence laid out in the Modalities for Implementation accepted by both parties;

9. *Requests* the Secretary-General to report to the Council on all aspects of the implementation of the present resolution within 30 days;

10. *Decides* to remain seized of the matter.

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Letter dated 10 May 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement on Lebanon issued on 6 May 2000 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex distributed as a document of the Security Council.

(*Signed*) António **Monteiro**
Permanent Representative of Portugal to the United Nations

00-42817 (E) 120500 120500

Annex to the letter dated 10 May 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on Lebanon issued on 6 May 2000 by the Presidency of the European Union on behalf of the European Union

Deeply concerned at the recent evolution of the situation in Lebanon and northern Israel, the European Union appeals to all sides to refrain from further escalation and to observe the terms of the ceasefire understanding of April 1996.

The European Union expresses its sympathy to the injured and to bereaved families.

Recalling that the intensification of hostilities will serve only those who oppose a just, lasting and comprehensive peace in the Middle East and will bring with it the unnecessary suffering of innocent people, the European Union appeals to all sides to show the utmost restraint.